



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES:	BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS
MEETING DATE AND TIME:	Wednesday, March 25, 2009 at 12:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
MINUTES APPROVED	April 22, 2009

MEMBERS PRESENT

Dr. James Walsh, LPCMH, **President**, Presiding
Maynard Gregory, LCDP, **Vice President**
Vera Murrell, Public Member, **Secretary**
Dr. William Northey, LMFT
Mary Davis, LCDP
Lisa Ritchie, LPCMH
Tracy Hansen, LMFT
William Gale, LPCMH
Clayton Yocum, Sr., Public Member
Robert Doyle, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Allison Reardon, Deputy Attorney General
Shauna Slaughter, Administrative Specialist II

MEMBERS ABSENT

Daniel Cherneski, LMFT
Winnie Lewis, Public Member

ALSO PRESENT

Juli LaBadia, Court Reporter, Wilcox & Fetzer
Joseph Hicks
Esther Smith
Gina Simon
Lauren Tinsley

CALL TO ORDER

Dr. Walsh called the meeting to order at 12:10 p.m.

REVIEW OF MINUTES

The Board reviewed the February 25, 2009 meeting minutes and Legislative Committee minutes for approval. Mr. Gale made a motion, seconded by Ms. Murrell, to approve the minutes as presented. Motion unanimously carried.

UNFINISHED BUSINESS

Continuing Education Audit

The Board reviewed CE audit information submitted by the licensees who did not respond to the initial audit notice, and information submitted by licensees who were found deficient during the previous audit reviews. All licensees reviewed today passed the audit with the exception of Janelle Evans. Dr. Northey made a motion, seconded by Ms. Ritchie, to schedule a show cause hearing for Ms. Evans due to her CE not meeting the Board's regulations. Motion unanimously carried.

Review Draft of Proposed Rule and Regulation Changes – Allison Reardon

Ms. Reardon requested that this item be tabled until the April meeting.

Review Previously Tabled Application for LPCMH Licensure for Anita Delaney

The Board reviewed additional documentation submitted for Ms. Delaney's application for LPCMH licensure by certification. Dr. Northey made a motion, seconded by Mr. Cherneski, to **approve** the application. Motion unanimously carried.

Hearings

Show Cause Hearing – Joseph Hicks

At 12:28 p.m., Dr. Walsh called the show cause hearing to order for Joseph Hicks. Verbatim testimony was taken by the court reporter. Ms. Reardon stated the reason for the hearing and had the following items marked as Board Exhibit 1 for the record: – Notification of hearing letter, CE documentation submitted by Mr. Hicks. Ms. Reardon verified with Mr. Hicks that he waived his right to be represented by counsel. Mr. Hicks was sworn and had the following items marked as Applicant Exhibit 1 for the record – A letter from Herman Holloway, Mr. Hicks' scores from NBCC, and a list of Mr. Hicks' cumulative training. Mr. Hicks presented his case to the Board and answered any questions they had. At 12:53 p.m., the Board went off the record for deliberations. At 1:05 p.m., the Board went back on the record. Dr. Northey made a motion, seconded by Ms. Murrell, that Mr. Hicks falsely attested to completing the required CE on his licensure renewal and as a consequence the Board imposed the following sanctions: Mr. Hicks will receive a letter of reprimand; he will be required to take 5 hours additional CE in ethical, legal, and professional issues within the next six months; the 11 hours of CE taken after the licensure period ended will be accepted to make up the CE deficiency; he will automatically be selected for audit during the 2010 post renewal audit; and he cannot count the CE used to make up the deficiency, or the additional 5 hours of CE towards the 2010 audit. Motion unanimously carried. The hearing concluded at 1:07 p.m.

Show Cause Hearing – Esther Smith

At 1:12 p.m., Dr. Walsh called the show cause hearing to order for Esther Smith. Verbatim testimony was taken by the court reporter. Ms. Reardon stated the reason for the hearing and had the following items marked as exhibits for the record: Board Exhibit 1 – Notification of hearing letter; and Applicant Exhibit 1 – Wilmington University transcript submitted by Ms. Smith. Ms. Reardon verified with Ms. Smith that she waived her right to be represented by counsel. Ms. Smith was sworn in, presented her case, and answered questions asked by the Board. At 1:28 p.m., the Board went off the record for deliberations. At 1:43 p.m., the Board went back on the record. Dr. Northey made a motion, seconded by Ms. Ritchie, that Ms. Smith falsely attested to completing

the required CE on her licensure renewal and as a consequence the Board imposed the following sanctions: Ms. Smith will receive a letter of reprimand; she will be required to make up the 20 hour CE deficiency within the next six months and the CE cannot be completed in an academic setting; she will be required to take 5 hours of additional CE in ethical, legal, and professional issues within the next six months; she will automatically be selected for audit during the 2010 post renewal audit; and she cannot count the CE used to make up the deficiency, or the additional 5 hours of CE towards the 2010 audit. Motion unanimously carried. The hearing concluded at 1:52 p.m.

1:52 p.m. – 2:01 p.m. - The Board took a brief recess.

PTD Hearing - Gina Simon

At 2:02 p.m., Dr. Walsh called the proposal to deny hearing to order on the application submitted by Gina Simon. Verbatim testimony was taken by the court reporter. Ms. Reardon stated the reason for the hearing and had the following items marked as exhibits for the record: Board Exhibit 1 - Ms. Simon's application and supporting documents, Board Exhibit 2 - The PTD letter sent to Ms. Simon, Board Exhibit 3 - The hearing notification letter sent to Ms. Simon, and Applicant Exhibit 1 – Letter from Lauren Tinsley. Ms. Reardon verified with Ms. Simon that she waived her right to be represented by counsel. Ms. Simon was sworn in, presented her case, and answered questions asked by the Board. Ms. Tinsley was sworn in, spoke on behalf of Ms. Simon, and answered questions asked by the Board. After some lengthy discussion with the Board regarding the licensing requirements, Ms. Simon requested to withdraw her application for licensure. Dr. Northey made a motion, seconded by Mr. Gregory, to accept Ms. Simon's request to withdraw her application. Motion unanimously carried. The hearing concluded at 2:58 p.m.

Show Cause Hearing – Jean Olson

At 3:04 p.m., Dr. Walsh called the show cause hearing to order for Jean Olson. Verbatim testimony was taken by the court reporter. Ms. Reardon stated the reason for the hearing and had the following items marked as exhibits for the record: Board Exhibit 1 – Notification of hearing letter and the CE documentation submitted by Ms. Olson, and Applicant Exhibit 1 – Ms. Olson's response to the audit deficiency. Ms. Olson did not appear at the hearing. The Board reviewed Ms. Olson's response regarding the audit deficiency. At 3:08 p.m., the Board went off the record for deliberations. At 3:10 p.m., the Board went back on the record. Dr. Northey made a motion, seconded by Mr. Gale, that Ms. Olson falsely attested to completing the required CE on her licensure renewal and as a consequence the Board imposed the following sanctions: Ms. Olson will receive a letter of reprimand; she will be required to make up the 2 hour CE deficiency within the next six months; she will be required to take 5 hours of additional CE in ethical, legal, and professional issues within the next six months; she will automatically be selected for audit during the 2010 post renewal audit; and she cannot count the CE used to make up the deficiency, or the additional 5 hours of CE towards the 2010 audit. Motion unanimously carried. The hearing concluded at 3:11 p.m.

NEW BUSINESS

Review Applications for LACMH Licensure by Certification - Lisa Shaffner

The Board reviewed Ms. Shaffner's application for LACMH licensure by certification. Mr. Doyle made a motion, seconded by Mr. Gale, to **table** the application. Motion unanimously carried.

Correspondence

There was no correspondence for review.

Other Business (for discussion only)

There was no other business before the Board.

Public Comment

There was no public comment.

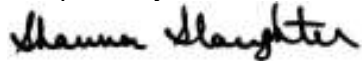
Next Meeting Date

The Board's next meeting is scheduled for April 22, 2009, at 12:00 p.m., in Conference Room A of the Cannon Bldg., 861 Silver Lake Blvd., Dover, Delaware.

Adjournment

Mr. Gregory made a motion, seconded by Ms. Murrell, to adjourn. Motion unanimously carried. There being no further business before the Board, the meeting adjourned at 3:18 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shauna Slaughter". The signature is written in a cursive, flowing style.

Shauna Slaughter
Administrative Specialist II